

Message

From: Brynn.Lacabanne@deq.idaho.gov [Brynn.Lacabanne@deq.idaho.gov]
Sent: 2/3/2021 5:29:18 PM
To: Levo, Brian [Levo.Brian@epa.gov]
CC: Lopez, Maria [Lopez.Maria@epa.gov]; Troy Smith [Troy.Smith@deq.idaho.gov]
Subject: RE: Enforcement Referral: Cedar Ridge Dairy (CONFIDENTIAL)

I'll contact Mitch and see if we can get them from him. Stay tuned.



Brynn M. Lacabanne | IPDES Compliance and Enforcement Supervisor
Idaho Department of Environmental Quality
1410 N Hilton St, Boise, ID 83706
Office: (208) 373-0289
<http://www.deq.idaho.gov/>

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From: Levo, Brian [mailto:Levo.Brian@epa.gov]
Sent: Wednesday, February 03, 2021 10:28 AM
To: Brynn Lacabanne
Cc: Lopez, Maria; Troy Smith
Subject: RE: Enforcement Referral: Cedar Ridge Dairy (CONFIDENTIAL)

Received. Brynn, would it be possible to also access the NOV and penalty documents issued by ISDA?

We will review and follow-up on this.

Thank you,

Brian Levo
NPDES Enforcement Coordinator
Surface Water Enforcement Section
U.S. Environmental Protection Agency - Region 10
1200 6th Avenue, Suite 155, MS 20-C04, Seattle, WA 98101
Phone: (206) 553-1816, Fax: (206) 553-4743

From: Brynn.Lacabanne@deq.idaho.gov <Brynn.Lacabanne@deq.idaho.gov>
Sent: Tuesday, February 2, 2021 4:38 PM
To: Levo, Brian <Levo.Brian@epa.gov>
Cc: Lopez, Maria <Lopez.Maria@epa.gov>; Troy Smith <Troy.Smith@deq.idaho.gov>
Subject: Enforcement Referral: Cedar Ridge Dairy (CONFIDENTIAL)

Brian,

As we briefly discussed in a previous meeting, DEQ is referring an illegal discharge from Cedar Ridge Dairy, located in Filer, ID, to EPA for enforcement. ISDA originally received the referral Ex. 6 & 7C Personal Privacy (PP)/ Ex. 7(D) Confidential Source the canal to which the discharge occurred. ISDA investigated the complaint under the context of their own rules and referred it to us after their initial investigation. One of our compliance officers and a water quality scientist joined ISDA the following day to collect information for our own investigation. My understanding is that ISDA issue an NOV and fine to the individual.

Said water quality scientist was able to confirm with the canal company that, during a normal year, the canal contributes flow to Deep Creek, which is a trib to the Snake River. Therefore, we determined the canal is WOTUS.

A few emails and the complaint investigation report are zipped in the cloud under our normal password protection:

Ex. 6, Ex. 7C Personal Privacy (PP)

Please note – there is a conflict of interest within the agency, which you will see mentioned in the report. As such, the only individuals at DEQ who are allowed to discuss this investigation are Troy, Mary Anne, Toby Kennedy (compliance officer), Brent King (Deputy Attorney General), and me. The water quality scientist Ex. 6 Personal Privacy (PP)

If you need additional information, please reach out to me, and I can work with Toby to get what you need.



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